

UNITED STATES DISTRICT COURT  
SOUTHERN DISTRICT OF NEW YORK

CARL BLESSING, et al., on Behalf of Themselves and All  
Others Similarly Situated,

Plaintiffs,

No. 09-cv-10035 (HB)(RLE)

-against-

SIRIUS XM RADIO INC.,

Defendant.

**NOTICE OF MOTION TO REQUIRE  
APPELLANTS TO POST AN APPEAL BOND**

PLEASE TAKE NOTICE, that upon the Court's Opinion and Order dated August 24, 2011; the Court's Final Judgment and Order, entered August 25, 2011; the Court's Order Awarding Attorneys' Fees and Expenses, entered on August 25, 2011; the accompanying Declaration of James J. Sabella and the exhibits thereto; the accompanying Memorandum of Law; and all other papers and proceedings herein, Plaintiffs Carl Blessing, Edward A. Scerbo, John Cronin, Brian Balaguera, Scott Byrd, Glenn Demott, James Hewitt, Todd Hill, Curtis Jones, Ronald William Kader, Edward Leyba, Greg Lucas, Joshua Nathan, James Sacchetta, David Salyer, Susie Stanaj, Janel and Kevin Stanfield, Paul Stasiukevicius, and Paola Tomassini will move this Court, at the courthouse at 500 Pearl Street, NY, NY, at a date and time to be set by the Court, for an order pursuant to Rule 7 of the Federal Rules of Appellate Procedure, requiring Appellants to post a bond to secure an award of costs and attorneys' fees to Appellees on appeal, and for such other and further relief as the Court deems proper and just.

Dated: October 5, 2011

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